

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

DR 1994-098042

05/21/2003

HON ROBERT H. OBERBILLIG

CLERK OF THE COURT
K. Stone
Deputy

FILED: 05/23/2003

IN RE THE MATTER OF
MORGAN J MORAN

JANICE M PALMER

AND

ETHEL L HUZDOVICH

ROBERT J DUCOMB

DR CAROL MELLEN
4300 N MILLER RD
SCOTTSDALE AZ 85251

APPOINTMENT OF MENTAL HEALTH EXPERT FOR FAMILY COURT

IT IS ORDERED appointing **DR. CAROL MELLEN, 4300 NORTH MILLER ROAD, SCOTTSDALE, ARIZONA 85251, TELEPHONE 480-994-3601**, to conduct a custody evaluation in this matter.

Counsel for the parties, or parties if pro per, shall make the initial contact with the examiner through a joint conference or conference call within 10 days of receipt of this order and thereafter shall arrange for the appointments for the persons to be examined.

The initial conference with the expert shall be used to summarize the issues present in the case and to allow the expert to request information he or she believes would be pertinent. The appointed expert shall have a written report prepared in a timely fashion. The acceptance of this appointment by the evaluator indicates a capability of completing a written report by the stated time and the ability to appear in court on the stated date. If the expert appointed cannot comply with the time parameters stated, he or she should notify counsel immediately upon receipt of the minute entry.

The fee shall be paid 100% by Petitioner, Morgan J. Moran, subject to other and further orders of the Court. Fees shall be payable at the time of the first appointment or as directed by the examiner. In the event any person (including the children) fails to appear at the time of the appointment, the party responsible for the missed appointment shall be obligated to pay for the

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missed appointment in the event a charge is made for such appointment. Additionally, the mental health examiner shall be promptly provided all records, reports, and documents requested and shall receive the cooperation of all parties and counsel involved to insure that the report is submitted on the date required. This Stipulation shall act as a release by the parties of all information requested by the mental health examiner and shall further obligate the parties for any cost associated with the production of those records to the mental health professional. Any such costs shall be paid promptly.

Counsel shall not have ex-parte discussions with the expert but shall conduct all communications through conference calls or conferences, unless agreed upon otherwise with opposing counsel. Any documentation sent by the parties or counsel to the expert shall concurrently be sent to the opposition.

The expert shall be entitled to receive information from any other source if it is the type of evidence or facts reasonably relied upon by the expert in forming opinions or inferences upon the issue of custody/parenting time. The parties or any individual thought significant shall take any psychological tests requested by the expert. The cost of such examinations and/or tests shall be paid as set forth above.

The reports may be received in evidence without the necessity of any foundation and without any objection to hearsay statements contained therein or any other objection. It is agreed that the report shall be delivered only to the Court and counsel.

The Mental Health Expert has immunity in accordance with Arizona law as to all acts undertaken pursuant to and consistent with the appointment order of the court.

DATED the 21st day of May, 2003.

/S/ HON ROBERT H. OBERBILLIG

JUDICIAL OFFICER OF THE SUPERIOR COURT